



State of Tennessee
Department of Children's Services

Administrative Policies and Procedures: 18.9

Subject:	Youth with Adult Sentences
Authority:	TCA 37-1-134, 37-5-105, 37-5-106
Standards:	DCS Practice Standard: 5-304B
Application:	To All Department of Children's Services Youth Development Center Employees and Juvenile Justice Family Service Workers

Policy Statement:

The Department of Children's Services (DCS) shall provide housing and programming for youth sentenced as adults with the Tennessee Department of Correction's (TDOC) and shall provide procedures for the transfer of youth from initial placement, and back to the physical custody of TDOC in accordance with statutory requirements. DCS does not have legal custody of youth placed pursuant to this policy.

Purpose:

To establish procedures for housing, programming and transfer of youth sentenced as adults.

Procedures:

A. Review of Court documentation prior to placement with DCS	<ol style="list-style-type: none">1. Sentencing documents for youth offenders shall be reviewed by the DCS Office of General Counsel, immediately after DCS is contacted by county jail personnel or TDOC personnel, for the purpose of determining appropriateness of placement in DCS physical custody. No youth shall be accepted by DCS without such sentencing documents being reviewed by DCS Office of General Counsel in Central Office.2. If judgment order of the criminal court contains a statement(s) ordering or requiring that the youth be confined to a youth development center (YDC), DCS shall accept physical custody of the youth.3. If the youth is determined to be less than sixteen (16) years of age, regardless of additional statements on the criminal court document concerning place of confinement set forth in A.2, statute requires the child's placement into a YDC rather than an adult facility. If the Deputy Commissioner of the Division of Juvenile Justice or designee determines that a YDC is not an appropriate treatment program for
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	<p>such youth, the DCS Office of General Counsel must be consulted immediately.</p> <p>4. If the DCS Office of General Counsel determines that the Court documents do not order YDC placement AND the youth is sixteen (16) or older, the case will be reviewed immediately by the Deputy Commissioner of the Division of Juvenile Justice or designee to determine acceptance.</p> <p>5. Youth who are determined by DCS Office of General Counsel or the Deputy Commissioner of Division of Juvenile Justice to be legally or program appropriate for transfer to DCS physical custody shall be subject to all DCS policies and procedures regarding classification and processing.</p>
B. Transfer of Youth to Department of Correction	The physical transfer of youth with adult sentences to the TDOC housed in DCS facilities shall occur no later than the youth's eighteenth (18 th) birthday, or in accordance with the court order. Youth with adult sentences may be transferred to TDOC as early as age sixteen (16) upon order from the committing court.
C. Case Manager Responsibilities	<p>1. Prior to transfer to TDOC, the Youth Development Center (YDC) case manager must complete form CR-2574 Inmate Admission Assessment and mail it to TDOC Systems Development Services. The offender number shall be assigned by TDOC and should be left blank on the form.</p> <p>2. The YDC case manager assigned to a youth who is under a criminal court sentence shall ensure the following occurs prior to the youth's eighteenth (18th) birthday:</p> <p>a) Six (6) weeks prior to the youth's eighteenth (18th) birthday a final staffing shall be held to review the youth's progress while in DCS and make recommendations for TDOC's classification unit. The youth shall be given any information available to assist in his/her adjustment to the transfer.</p> <p>b) After the staffing the YDC case manager shall send a copy of the staffing summary and the adult criminal court judgment order to the Intake Coordinator of the Classification Division at the TDOC. A request shall be made for a placement for the youth at the appropriate TDOC facility.</p> <p>c) Upon receipt of approval for transfer to a specific TDOC facility, the YDC case manager shall follow YDC facility transfer procedures.</p> <p>d) The case manager shall make a determination about notifying the youth prior to the transfer based on security considerations.</p>
D. Record Office Responsibilities	<p>1. Form CR-2012, Prisoner Sentence Reduction Credits shall be completed and mailed or faxed to:</p> <p style="text-align: center;">Director of Classification Programs: 4th Floor Rachel Jackson State Office Bldg. 320 Sixth Avenue North Nashville, Tennessee 37209 Phone: 615-253-8174</p>

	<ol style="list-style-type: none"> 2. The records office shall contact the appropriate TDOC Reception Center Records Office to verify that the youth is at the TDOC facility and has been entered on the TOMIS system. 3. A copy of the staffing summary, all indictments and judgment orders of the circuit or criminal court shall be delivered with the youth to the TDOC facility. Certified copies of these documents shall be provided to the transportation officer to present along with the case file when the youth is delivered to TDOC. 4. Property other than personal hygiene items and clothes the youth are wearing shall be returned to the youth's family.
E. Transportation Responsibilities	<p>Upon notification of an available capacity and the location of the TDOC facility, the DCS employee(s) responsible for transportation shall ensure:</p> <ol style="list-style-type: none"> 1. Youth's property and all records are transported with the youth, and 2. Secure transportation to the TDOC facility.
F. Data Systems Documentation	<ol style="list-style-type: none"> 1. Placement information for children/youth in DCS custody must be entered into TNKids according to best practice and in a timeframe that allows for the needs of the child/youth being placed. This includes: disruptions, move toward permanency, to a lower level placement or a transfer to the TDOC facility. 2. Court orders to release the youth to TDOC shall be entered within twenty-four (24) hours of receiving order. 3. Within thirty (30) days of the youths release to the Department of Corrections all documentation shall be record and the case closed in TNKids. 4. Events not documented elsewhere in TNKids or needing fuller explanation are entered into Case Recordings which shall be recorded and completed within thirty (30) days of date of occurrence

Forms:	<p><u>CR- 2012, Sentence Reduction Credits</u></p> <p><u>CR-2574, Inmate Admission Assessment</u></p>
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Collateral Documents:	<i>None</i>
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Glossary:	
<i>Term</i>	<i>Definition</i>
<i>Youth offender:</i>	Youth who are sentenced and committed to the TDOC by a court having adult criminal jurisdiction or ordered detained for safekeeping in the TDOC pending trial in a court of criminal jurisdiction.